

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RANDAL N. WIIDEMAN,
 #22306

Plaintiff,

vs.

CALVIN PECK, *et al.*,

Defendants.

3:10-cv-00024-LRH-RAM

ORDER

This is a prisoner civil rights action. Plaintiff is incarcerated at Ely State Prison (“ESP”) and has sued correctional officer Calvin Peck. Plaintiff alleges that defendant imposed disciplinary sanctions against plaintiff in retaliation for plaintiff filing suit in *Wiideman v. McDaniel, et al.*, 3:09-cv-00650-LRH-VPC.

Plaintiff’s allegations in this action directly relate to his claims in *Wiideman v. McDaniel*, which has already been consolidated pursuant to Fed. R. Civ. P. 42 with three other actions filed by plaintiff. (*See Wiideman v. McDaniel, et al.*, 3:09-cv-00650-LRH-VPC, docket #9). In fact, in the instant case, plaintiff has filed a “motion to join case with *Wiideman v. Homan, et al.*, 3:10-cv-00496-LRH-RAM” (docket #7), which is yet another action setting forth common questions of law or fact.¹ In all of these actions, plaintiff sets forth various claims that prison personnel have taken some action or refused to

¹Confusingly, in *Wiideman v. Homan, et al.*, in 3:10-cv-00496 (“*Homan II*”), plaintiff indicates that he will seek to consolidate that matter with *Wiideman v. McDaniel, et al.*, 3:09-cv-00650-LRH-VPC. (*See Homan II*, 3:10-cv-00496-LRH-RAM, docket #1-2).

1 take some action related to plaintiff's mail and his litigation arising from such allegations.

2 Accordingly, this action is dismissed. Plaintiff may, if he chooses, seek to amend his complaint
3 in *Wiideman v. McDaniel, et al.*, 3:09-cv-00650-LRH-VPC to include all of his claims related to this
4 alleged mail room dispute. Plaintiff is cautioned that any further separate actions he attempts to file
5 alleging any related claims will be dismissed.

6 **IT IS THEREFORE ORDERED** that the Clerk of Court shall detach and **FILE** the complaint
7 (docket #1-2).

8 **IT IS FURTHER ORDERED** that this action is **DISMISSED** with prejudice.

9 **IT IS FURTHER ORDERED** that plaintiff's motions for screening and scheduling order
10 (dockets #6 and #7) are **DENIED**.

11 **IT IS FURTHER ORDERED** that the Clerk of Court **shall file** a copy of this order in
12 *WIIDEMAN V. MCDANIEL, ET AL.*, 3:09-cv-00650-LRH-VPC.

13 **IT IS FURTHER ORDERED** that the Clerk shall enter judgment accordingly and close this
14 case.

15 DATED this 15th day of September, 2010.



16
17
18 LARRY R. HICKS
19 UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26